

NICK SMITH
7TH DISTRICT, MICHIGAN
1530 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-6276

CONTROL - SUPERFUND



ORAC 12/82
Rec'd
ORA 12/19

COMMITTEE ON THE BUDGET
COMMITTEE ON AGRICULTURE

A.2
12/15/95

Congress of the United States
House of Representatives
Washington, DC 20515-2207

December 15, 1995

Valdas V. Adamkus
Regional Administrator
Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590



Dear Mr. Adamkus:

Thank you for your letter of December 11, 1995 regarding my inquiry on behalf of Mr. Leffew and his concerns with the Sheridan-Albion Landfill as well as the former city dump located at McIntosh Park in Albion.

Since you might not have received my December 5, 1995 letter (regarding additional concerns Mr. Leffew has with the former city dump site) before drafting your response of December 11, 1995, I am still interested in a reply regarding any action the EPA may be taking relative to this matter.

Additionally, I would appreciate knowing what the criteria is for establishing the Potentially Responsible Parties in Sheridan-Albion Landfill situation and if the EPA's Order can be modified to include additional Potentially Responsible Parties? I would also appreciate being kept updated by you or a member of your staff on the status of compliance with the Order by the Potentially Responsible Parties.

Thank you for your continued assistance in this matter. Please direct any questions or correspondence to my Charlotte district office at the address and phone number listed below.

Sincerely,

Nick Smith
Member of Congress

Enclosure
NS:jmh



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

A.2
12/11/95

REPLY TO THE ATTENTION OF:

DEC 11 1995

R-19J

Honorable Nick Smith
Member, United States
House of Representatives
121 S. Cochran Avenue
Charlotte, Michigan 48813

Dear Mr. Smith:

Thank you for your inquiry of November 20, 1995 concerning the Albion-Sheridan Township Landfill Superfund Site (the Site), and the enclosed letter from Mr. David Leffew. Members of my staff have been in contact with Mr. Leffew by telephone a number of times in regard to the Albion-Sheridan Landfill, most recently in response to his letter and we trust we have addressed his concerns.

A brief review of the history of the Albion-Sheridan Township Landfill Site will help clarify the current status of the Site. After conducting an investigation and feasibility study, United States Environmental Protection Agency (U.S. EPA) issued a cleanup decision for the Site on March 23, 1995. The decision requires limited drum removal, construction of a landfill cap and groundwater monitoring at the Site. (An additional provision requires in-situ groundwater treatment only if natural attenuation is not effective.) Our decision was well-supported by the public, the Michigan Department of Environmental Quality, and the Potentially Responsible Parties.

After being unable to reach agreement with the Potentially Responsible Parties on a Consent Decree, U.S. EPA issued a Unilateral Administrative Order (the Order) for cleanup of the site on October 11, 1995. The Order was issued to four Respondents: Cooper Industries, Inc., Corning Glass, Inc., Decker Manufacturing, Inc., and the City of Albion. The first three were included in the Order as generators of hazardous waste which went to the landfill. The City of Albion was included in the Order because we determined that they were an operator of the landfill.

On November 6, 1995, the City of Albion asked us to extend the deadline for the Respondents to inform us of whether they intend to comply with the Order. We granted their request and extended the deadline by 30 days, to December 11, 1995. We hope that the City and all Respondents to the Order will comply with it. As we have assured Mr. Leffew, any offer from any Potentially Responsible Party to settle with U.S. EPA outside of the Order would have to represent the Party's fair share of responsibility at the Site and would be subject to public comment.

Please feel free to contact me if you have any questions or concerns.

Sincerely yours,

original signed by
Valdas V. Adamkus

Valdas V. Adamkus
Regional Administrator